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Attorneys for NORTH BAY REGIONAL CENTER

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

SERVICE EMPLOYEES INTERNATIONAL
UNION, LOCAL 1021,

Petitioner,

vs.

NORTH BAY REGIONAL CENTER,

Respondent.

CASE No. C08-04279 CW

**STIPULATION AND ORDER TO
EXEMPT THIS ACTION FROM THE
ADR PROCESS**

THE PARTIES IN THIS ACTION, BY AND THROUGH THEIR RESPECTIVE
ATTORNEYS, HEREBY STIPULATE AS FOLLOWS:

On September 11, 2008, this action was assigned to the Alternative Dispute Resolution (ADR) Multi-Option Program governed by ADR Local Rule 3. After familiarizing themselves with that rule and the Court's ADR material, the Parties agree that no ADR process is likely to deliver benefits to the Parties sufficient to justify the resources consumed by its use. Specifically, the Parties agree that because this matter involves a Petition to Compel Arbitration of Labor Management Dispute under the terms of the applicable collective bargaining agreement, it is more amenable to a single motion process where the decision of the Judge is binding on the Parties.

For these reasons, therefore, the Parties respectfully request that the Court exempt this action from the ADR process.

1 It is further stipulated and agreed that in the interest of time, this Stipulation may be signed
2 in faxed counterparts, which shall have the same force and effect as an original signature.

3
4 DATED: November 6, 2008

MUSICK, PEELER & GARRETT LLP

5
6 By: _____

7 Elaine M. Vukadinovich
8 Attorneys for
9 North Bay Regional Center

10 DATED: November 6, 2008

WEINBERG, ROGER & ROSENFELD LLP

11
12 By: _____

13 Manuel Boigues
14 Attorneys for
15 Service Employees International Union, Local
16 1021

17 IT IS ORDERED THAT:

18 The Parties and this action are exempt from the ADR process and this action may
19 proceed immediately to the litigation process.

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21 DATED: Nov. 17, 2008

22 By: _____

23 Judge for the Northern District of California
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